

# Frankfurt Kurnit Klein + Selz <sup>PC</sup>

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September 6, 2023

## VIA ECF AND E-MAIL

Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Centre Street, Room 2202  
New York, New York 10007

**Re: Sealing Portions of Interpleader Complaint and Exhibits in  
*Goldstrom v. Selendy Gay Elsberg PLLC*, 23 Civ. 7527 (JMF)**

Dear Judge Furman:

We represent Third-Party Interpleader Defendants McKinsey & Co., Inc., McKinsey & Company Inc. United States, McKinsey Holdings, Inc., and McKinsey Recovery & Transformation Services U.S. LLC (collectively, “McKinsey”). Last evening, we timely served a letter pursuant to Rule 7(C) of Your Honor’s Individual Rules and Practices in Civil Cases (“Indiv. Rules”) (ECF # 30) requesting the sealing of certain aspects of the materials contained in ECF # 11—an Interpleader Complaint filed by Selendy Gay Elsberg PLLC and the Exhibits thereto. As part of our submission, we mistakenly filed the Exhibits to the Interpleader Complaint in partially redacted form on the public docket (ECF #31). Those Exhibits were supposed to have been redacted in their entirety on the public docket. *See* ECF # 30. Per ECF Rule 21.8, we have contacted the Clerk’s Office and requested that ECF # 31 be temporarily sealed and made inaccessible to PACER users. They have informed us that they have done so. A copy of our email to the Clerk’s Office and the Clerk’s Office’s response is attached as Exhibit A.

Pursuant to ECF Rule 21.8 and Rule 7(C) of Your Honor’s Indiv. Rules, we submit this letter-motion to respectfully request that ECF # 31 be sealed in its entirety, and that we be permitted to replace it with the version we originally intended to file publicly: the Interpleader Complaint with proposed redactions, and the Exhibits redacted in their entirety.

We thank the Court in advance for its consideration of this request and apologize for any inconvenience we may have caused.

Honorable Jesse M. Furman  
September 6, 2023  
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Respectfully submitted,

*/s/ Ronald C. Minkoff*

Ronald C. Minkoff

*Counsel for McKinsey & Company, Inc.,  
McKinsey & Company Inc. United States,  
McKinsey Holdings Inc., and McKinsey  
Recovery & Transformation Services U.S.,  
LLC*

cc: All counsel of record (via ECF)

Application GRANTED. The Court concludes that the interest of third-party interpleader Defendants (the "McKinsey Defendants") in maintaining the confidentiality of information related to their legal representation, especially in light of their position that the matter is subject to arbitration, justifies the proposed limited redactions. This decision is subject to reevaluation upon the resolution of any motion to compel arbitration. *See Stafford v. Int'l Bus. Machines Corp.*, No. 22-1240, 2023 WL 5183546, at \*5 (2d Cir. Aug. 14, 2023) (holding that a district court erred by unsealing confidential information from an arbitration). The Clerk of Court is directed to maintain ECF No. 31 under seal in its entirety, and the McKinsey Defendants are hereby ORDERED to file the correct redacted versions for public viewing no later than September 11, 2023. The Clerk of Court is also directed to terminate ECF Nos. 30 and 33.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman", is written over a blue horizontal line.

September 7, 2023